



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

GAINER et al

Atty. Ref.: 4112-7

Serial No. 10/647,132

TC/A.U.: 1626

Filed: August 25, 2003

Examiner:

Confirmation No.: 3899

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR USES

\* \* \* \* \*

May 25, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO-1449.

- This application was filed after June 30, 2003 so that copies of U.S. Patent Publications are not required and are not attached.
- Listed foreign patent publications and other documents are enclosed.
- The listed documents were cited in the ISR and copies should have been supplied by WIPO directly to the US PTO. If copies are not timely received from WIPO, please telephone the undersigned so that copies can be timely supplied for the Examiner's consideration in this US National Phase Application.

A copy of a Supplementary Partial European Search Report is also attached. Please note U.S. Patents 6,060,511, 4,070,460, 3,975,519 and 3,965,261 were previously listed on form PTO-1449 filed in this case on June 30, 2004, and we await the return of the initialed document indicating that these references have been considered and made of record.

This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited.

The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information referenced herein and attached hereto was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The Examiner should also note that this application is a continuation in part of Application Serial No. 10/372,717.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number 4112-7.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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<b>INFORMATION DISCLOSURE CITATION</b>	ATTY. DOCKET NO.	SERIAL NO.
	4112-7	10/647,132
	APPLICANT	
	GAINER et al	
(Use several sheets if necessary)	FILING DATE	TC/A.U.
	August 25, 2003	1626

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

WIRZ, R., et al, Helv. Chim. Acta, Vol. 43, no. 6, 1960, pages 1738-1745, XP008042762  
ISLER, O., et al, Helv. Chim. Acta, vol. 40, no. 5, 1957, pages 1242-1249, XP008042920  
WENKERT, E., et al, J. Org. Chem., vol. 55, no. 25, 1990, pages 6203-6214, XP002317164  
Database Caplus, Chemical Abstracts Service, Columbus, Ohio, US; XP002317165 [JP 63 059831]  
Database Caplus, Chemical Abstracts Service, Columbus, Ohio, US; XP002317166 [JP 05 032531]

\*Examiner

### Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.